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Art Unit: 3637**From:** Royal W. Craig, Esq.**Fax:** (571)-273-8300**Pages:** 5 (including cover page)**File #:** U.S. Patent Application No. 10/808,230**Date:** October 18, 2007**Re:** Election/Response to Restriction Requirement dated 20 September 2007**C/m #** 028521.080432

Thank you

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OCT 18 2007

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TRANSMITTAL VIA FACSIMILE # (571)273-8300
CONFIRMATION BY FIRST CLASS MAIL

To The Honorable Commissioner
of Patents and Trademarks
Mail Stop Non-Fee Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application 10/808,230 for "STRUCTURAL COMPONENTS
FORMED USING A SYSTEM FOR RECYCLING WET CONCRETE
AND USES THEREOF"; From (Provisional Patent Application
60/535,450; Filed: January 8, 2004); Filed: March 23, 2004; Inventor: Erik
Straub.

Dear Sir:

Enclosed please find the following:

1. *Election/Response to the Restriction Requirement dated 20 September 2007.*
2. *Our post card. Please date stamp and return.*


Please charge any unanticipated fees to our Deposit Account No. 50-3391
(a duplicate copy of this charge authorization is attached.)

Thank you for your cooperation and assistance.

Respectfully submitted,


Royal W. Craig
Reg. No. 34,145

I HEREBY CERTIFY that on October 18, 2007, one copy of the above-referenced documents were transmitted by Facsimile and 1st class mail to the United States Patent and Trademark Office.- c/o Primary Examiner Michael Safavi, Art Unit 3637, at Fax # 571-273-8300, with confirmation copy by 1st class mail.



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OCT 18 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: STRAUB, ERIK K.

Appln. No. 10/808,230

Group Art Unit: 3637

Filed: March 23, 2004

Examiner: M. Safavi

For: STRUCTURAL COMPONENTS FORMED USING A SYSTEM FOR RECYCLING
WET CONCRETE AND USES THEREOF

ELECTION/RESPONSE

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated 20 September 2007, Applicant elects as follows.

As to the first Group of Species, Applicant provisionally elects Species I (FIG. 2), the claims readable thereon including claims 1-2 and 4-15. This election is with traverse. The present invention is a plank formed in accordance with a particular recycling method that uses a casting bed. The plank is preferably equipped with one or more lifting handles, and wire mesh or steel rebar reinforcement. The various different types of handles in the cited FIGs. may be sub-species, but the invention is the plank with any generic lifting handle and so the sub-species are not mutually exclusive. The Examiner has not made a prima facie case that the cited "species" are mutually exclusive and so this election is made with traverse. Applicant provisionally elects Species I (FIG. 2), acknowledges that claim 1 is generic, and contends that all of claims 1-2, 4-15 are generic in this regard.


*Application of: STRAUB, ERIK K.
Appln. No. 10/808,230
Group Art Unit: 3637
Examiner: M. Safavi
Filed: March 23, 2004
Page 2*

As to the second Group of Species, Applicant provisionally elects Species II (Rebar), the claims readable thereon including claims 1-15. This election is with traverse. The present invention is a plank formed in accordance with a particular recycling method that uses a casting bed. The plank is preferably equipped with one or more lifting handles, and wire mesh or steel rebar reinforcement. The claims do not distinguish the invention based on the type of reinforcement, and so rebar versus mesh are not mutually exclusive species. The Examiner has not made a prima facie case that the cited "species" are mutually exclusive and so this election is made with traverse. Applicant provisionally elects Species II (Rebar), and contends that all of claims 1-15 are generic in this regard.

As to the fourth Group of Species, Applicant provisionally elects Species IV (pavement shoring plank), the claims readable thereon including claims 11 and 13. This election is with traverse. The present invention is a plank formed in accordance with a particular recycling method that uses a casting bed. The plank may be used for various purposes, but the invention is the plank with either and so the types of planks are not mutually exclusive. The Examiner has not made a prima facie case that the cited "species" are mutually exclusive and so this election is made with traverse. Applicant provisionally elects Species IV (pavement shoring plank), acknowledges that claim 1 is generic, and contends that all of claims 1-8, 11 and 13 are generic in this regard.

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Respectfully submitted,


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